

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY and)
MONSANTO TECHNOLOGY LLC,)

Plaintiffs,)

vs.)

Case No. 4:09-CV-00686-ERW

E.I. DUPONT DE NEMOURS AND)
COMPANY and PIONEER HI-BRED)
INTERNATIONAL, INC.,)

Defendants.)

**DUPONT’S MOTION FOR LEAVE TO FILE UN-REDACTED
MEMORANDUM IN OPPOSITION AND EXHIBITS THERETO UNDER SEAL**

Pursuant to E.D. Mo. L. R. 13.05(A), E.I. du Pont de Nemours and Company and Pioneer Hi-Bred International, Inc. (collectively “DuPont”) respectfully move the Court for an order allowing DuPont to file under seal a complete, unredacted copy of the Memorandum in Opposition to Monsanto’s Motion for Sanctions for Discovery Misconduct and the exhibits thereto. The basis for this relief is as follows:

1. The Court has previously allowed the parties to file various pleadings and exhibits under seal. Further, the protective order entered herein provides for the filing of confidential information and documents under seal.

2. Portions of the Memorandum in Opposition to Monsanto’s Motion for Sanctions for Discovery Misconduct contain information designated as Confidential or Restricted Confidential by at least one of the parties. In addition, the exhibits to the Memorandum in Opposition contain and/or discuss information designated as Confidential or Restricted Confidential by Monsanto. Therefore, DuPont’s Memorandum in Opposition and the exhibits

thereto should be sealed. DuPont is not filing a redacted version of the Memorandum in Opposition as part of the public record, but it can do so if necessary at a later time.

WHEREFORE, DuPont respectfully requests that the Court enter an order allowing it to file under seal a complete, unredacted Memorandum in Opposition to Monsanto's Motion for Sanctions for Discovery Misconduct and the exhibits thereto.

Dated: January 21, 2011

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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